REMARKS

Claims 1-20 are currently pending in this application. No claims have been canceled. Claims 1, 11 and 17 have been amended.

Claim Rejection under 35 U.S.C. § 103

In the present office action independent claims 1, 11 and 17 were rejected under 35 USC 103(a) as being unpatentable over Sawyer (US Patent Application No. 5,978,677) (hereinafter Sawyer) in view of Houde et al. (US Patent Application No. 5,978,678) (hereinafter Houde).

As stated in MPEP § 2143.01, to establish *prima facie* obviousness of a claimed invention, ***all the claim limitations must be taught or suggested by the prior art***. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974) (emphasis added). Applicant disagrees and traverses the rejections of claims 1-20.

The Examiner states that Sawyer discloses substantially all of the elements of the independent claims 1, 11 and 17 except for "identifying a constraint relating to selection of a circuit associated with one of the plurality of trunks." However, Houde, the Examiner asserts shows that this limitation is known in the art. Applicant respectfully traverses both of these assertions. In particular, Sawyer does not teach or disclose each element as disclosed by Applicant's claimed invention.

As is clearly stated in the claims, in one embodiment, the constraint relates to the routing between trunks to find the best trunk to route the call to out of a plurality of trunk. While there can be many truck serving a location, there is noting in Sawyer that speaks to selecting the best out of a plurality of trunk. ***Sawyer speaks to using one trunk instead of a plurality of trunks, thus teach away from the claimed invention.***

That is the only constraint that the Examiner has identified. The Examiner also speaks in terms of "the trunk". For example, the Examiner quotes Sawyer: "The data base 20 stores information concerning the mobile stations 14 comprising location information and service information. Each switching node 12 is further connected to at least one associated base station controller (BSC) 24 via both a signaling link 26 and a voice trunk 28. Only one base station

controller 24 is shown connected to each switching node 12 in order to simplify the illustration. The voice trunk 28 provides a voice and data communications path used to carry subscriber communications between the first switching node 12(1) and its base station controller 24…The incoming call is then delivered (through connected) 112 over the voice trunk 18 using the routing number to the serving switching node 12(2) for attempted completion to the called mobile station 14(1)."

In addition, when the Examiner discusses the "constraint relating to a selection of a circuit associated with a trunk", the Examiner turns to Houde quoting "A call 200 dialed to the home directory number of the internationally roaming mobile station 16(1) originates from another cellular subscriber or the public switched telephone network (PSTN) and is received at one of the switching nodes 14 (i.e., gateway node) of the first country cellular network 12. It will be noted that the number dialed comprises the originally assigned home directory number. Using the signaling link 24, the switching node 14 interrogates the home location register 22 with a location request signal 202 including the dialed home directory number. This location request signal 202 may comprise an IS-41 LOCREQ signal or other equivalent standardized or proprietary message. The home location register 22 processes (action 204) the location request signal, in view of the previously received registration notification signal 104, to determine the location (i.e., serving switching node 34 within the second country cellular network 32) of the called mobile station 16(1). The home location register 22 then signals the serving switching node 34 for the called mobile station 16(1) (over signaling links 18 and 24, through international gateway 50, and over signaling link 40) with a routing request signal 206 to route the call. This routing request signal may comprise an IS-41 ROUTEREQ signal or other equivalent standardized or proprietary message. Responsive to the signal 206, the serving switching node 34 assigns (action 208) a temporary local directory number (TLDN) to the international roaming mobile station 16(1), and sends a routing request return result signal 210 including the assigned temporary local directory number to the home location register 22 via the international gateway 50. From processing of the previously stored switching node identification for switching node 34, the home location register identifies the country where that node (34) is located and retrieves (action 212) its country code (CC) designation. The country code and returned temporary local

directory number are then appended to the proper international dialing access digits (IDAD) to form (action 214) the international number for contacting the called international roaming mobile station 16(1). It will be noted that if the returned temporary local directory number does not include a city code, this may also be determined from processing the switching node identification number and then appended by action 214 at the proper location to complete the international number." Houde does not teach "identifying a constraint relating to selection of a circuit associated with one of the plurality of trunks associated with the first node for routing the call." The claim element must be viewed in its entirety.

For example, in the present invention, As such, the Examiner is not viewing the claimed invention as a whole. "In the instant case, we conclude that a person of ordinary skill in the art having common sense at the time of the invention would not have reasonably looked to _____ to solve a problem already solved by Applicant." Ex Parte Rinkevich et al, Appeal 20071317, decided May 29, 2007. ***Distilling an invention down to the "gist" or "thrust" of an invention disregards the requirement of analyzing the subject matter "as a whole."*** W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984) (Emphasis added). For at least this reason, Applicant does not believe Sawyer is a proper reference under 35 USC 103(a).

Regarding claims 11-16, there are no media gateways in Sawyer or Houde. The portion quoted states: "A call 100 dialed to the directory number (B-number) of mobile station 14(1) originates from another cellular subscriber or the public switched telephone network (PSTN) and is received at the first (originating or gateway) switching node 12(1). ...***The incoming call is then delivered (through connected) 112 over the voice trunk 18 using the routing number to the serving switching node 12(2) for attempted completion to the called mobile station 14(1). Completion of the call involves further routing 114 the incoming call over the voice trunk 28 to the proper base station controller 24, then to the currently serving base station 30, and then to the called mobile station 14(1) over the air interface 32.***"

The Examiner goes on for a page trying to state that although Sawyer does not teach in detail "the constraint relating to selecting a circuit associated with associated with a terminating

trunk for a call based on at least the media gateway receiving the call" that Houde, while not teaching this claimed element, it is known in the art. It is not know in the art. Houde does teach, as stated in the Abstract, "The registration notification ***signal sent to the home cellular system when an internationally roaming cellular mobile station registers in a foreign cellular system includes an identification of the currently serving switching node***. Upon ***subsequent receipt of an incoming call dialed to the roaming mobile*** station home directory number, the home cellular system signals the serving cellular system and ***a temporary local directory number is assigned and returned to the home cellular system***. The ***switching node identification is then processed to identify the proper international dialing digits for calling the country where the serving switching node is located.*** The returned ***temporary local directory number is then appended to the identified international dialing digits to form an international telephone number which is used by the home cellular system to route the received call to the currently serving cellular system for delivery to the called internationally roaming mobile station***." However, this is not so as set forth above.

However, purely in the interest of expediting the prosecution of the instant application, Applicant has amended claims 1, 11 and 17 to include at least one of the following limitations:

A method for routing calls in a distributed mobile switching center environment, the method comprising:

receiving a call at a first node in a telecommunication network, wherein the first node includes at least one Media Gateway, the first node associated with a plurality of trunks;

identifying a interconnection constraint relating to selection of a circuit associated with one of the plurality of trunks associated with the first node for routing the call;

inputting the call into a Mobile Switching Center server to derive a number translation in which the number is translated and a route index is identified, wherein the route index points to a route list that includes a sequence of routing rules for routing the call; and

routing the call to a trunk in accordance with the interconnection constraint.

Support for such limitations can be found at least on pages 2 through 17 of the instant application. Neither Sawyer nor Houde teaches or suggests expressly or inherently such limitations. As such, Applicant believes that independent claims 1, 11 and 17, as well as the claims that depend from them are in condition for allowance and respectfully requests that they be passed to allowance.

CONCLUSION

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Raffi Gostanian at (972) 849-1310.

Respectfully submitted,
RG&ASSOCIATES

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